

MESSAGE NO: 3302202

MESSAGE DATE: 10/29/2003

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: FIN-Final Determination

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-122-846

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 09/05/2003

TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF FINAL DETERMINATION IN THE COUNTERVAILING DUTY
INVESTIGATION OF CERTAIN DURUM WHEAT FROM CANADA (C-122-846)

MESSAGE NO: 3302202

DATE: 10 29 2003

CATEGORY: CVD

TYPE: FIN

REFERENCE:

REFERENCE DATE:

CASES: C - 122 - 846

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PERIOD COVERED: 09 05 2003 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTICE OF FINAL DETERMINATION IN THE COUNTERVAILING
DUTY INVESTIGATION OF CERTAIN DURUM WHEAT FROM CANADA
(C-122-846)

1. ON SEPTEMBER 5, 2003, THE DEPARTMENT OF COMMERCE PUBLISHED
IN THE FEDERAL REGISTER ITS FINAL AFFIRMATIVE DETERMINATION IN
THE COUNTERVAILING DUTY INVESTIGATION OF CERTAIN DURUM WHEAT
FROM CANADA (68 FR 52747).

2. THE SCOPE OF THIS INVESTIGATION INCLUDES DURUM WHEAT.
IMPORTS COVERED BY THIS INVESTIGATION ARE ALL VARIETIES OF DURUM
WHEAT FROM CANADA. THIS INCLUDES, BUT IS NOT LIMITED TO, A

VARIETY COMMONLY REFERRED TO AS CANADA WESTERN AMBER DURUM. THE

MERCHANDISE SUBJECT TO THIS INVESTIGATION IS TYPICALLY CLASSIFIED IN THE FOLLOWING HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS") SUBHEADINGS: 1001.10.00.10, 1001.10.00.91, 1001.10.00.92, 1001.10.00.95, 1001.10.00.96, AND 1001.10.00.99.

ALTHOUGH THE HTSUS SUBHEADINGS PROVIDED FOR DURUM WHEAT ARE FOR CONVENIENCE AND U.S. CUSTOMS AND BORDER PROTECTION PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDING IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C-122-846.

4. IN MESSAGE NUMBER 3183202 DATED JULY 2, 2003 THE DEPARTMENT OF COMMERCE TERMINATED THE SUSPENSION OF DURUM WHEAT FROM CANADA

EFFECTIVE JULY 8, 2003. FOR IMPORTS OF DURUM WHEAT FROM CANADA, U.S. CUSTOMS AND BORDER PROTECTION SHALL RESUME SUSPENSION OF LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER SEPTEMBER 5, 2003.

EFFECTIVE SEPTEMBER 5, 2003, U.S. CUSTOMS AND BORDER PROTECTION SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE RATES SHOWN BELOW:

| MANUFACTURER/PRODUCER/ EXPORTER | CUSTOMS ID NUMBER | AD VALOREM RATE |
|------------------------------------|----------------------|--------------------|
| CANADIAN WHEAT BOARD | C-122-846-001 | 5.29 PERCENT |
| ALL OTHERS | C-122-846-000 | 5.29 PERCENT |

5. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF U.S. CUSTOMS AND BORDER PROTECTION, U.S. CUSTOMS AND BORDER

PROTECTION OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED COUNTERVAILING DUTIES, U.S. CUSTOMS AND BORDER PROTECTION OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY U.S. CUSTOMS AND BORDER PROTECTION OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY G1O1:ART).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party